

ponent of beverages for man, whereas the article contained a quaternary ammonium compound, which is a poisonous and deleterious substance, and the labeling failed to reveal that fact.

DISPOSITION: June 9, 1949. Default decree of condemnation and destruction.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS*

14754. Adulteration of bread. U. S. v. Continental Baking Co., a corporation, and John H. Westerfield. Pleas of nolo contendere. Each defendant fined \$500 and costs. (F. D. C. No. 26303. Sample Nos. 25331-K to 25333-K, incl., 25335-K.)

INFORMATION FILED: December 21, 1948, Southern District of Iowa, against the Continental Baking Co., a corporation, and John H. Westerfield, manager.

ALLEGED SHIPMENT: On or about June 26 and 28, 1948, from the State of Iowa into the State of Illinois.

LABEL, IN PART: "Wonder Bread."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, insect fragments, and rodent hair fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 14, 1949. Pleas of nolo contendere having been entered, each defendant was fined \$500, together with costs.

14755. Adulteration of pumpernickel bread. U. S. v. 43 Cases * * *. (F. D. C. No. 26512. Sample No. 37939-K.)

LIBEL FILED: February 8, 1949, Western District of Washington.

ALLEGED SHIPMENT: On or about November 18, 1948, by Liberty Cherry & Fruit Co., Inc., from Latonia, Ky.

PRODUCT: 43 cases, each containing 24 1-pound cans, of pumpernickel bread at Seattle, Wash.

LABEL, IN PART: "Nordmann's Original Pure Rye Pumpernickel * * * Baked and Packed by Nordmann's Bakery, Cincinnati, Ohio."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect parts and rodent hair fragments.

DISPOSITION: May 26, 1949. Default decree of condemnation. The product was ordered delivered to a Federal institution, for use as animal feed.

14756. Adulteration of cookies. U. S. v. Arley E. Alexander and Guy A. Alexander (Magnolia Candy & Cookie Co.). Pleas of nolo contendere. Each defendant fined \$50. (F. D. C. No. 26312. Sample Nos. 23399-K, 23566-K.)

INFORMATION FILED: April 22, 1949, Southern District of Mississippi, against Arley E. Alexander and Guy A. Alexander, trading as the Magnolia Candy & Cookie Co., a partnership, Jackson, Miss.

*See also Nos. 14765, 14766.

ALLEGED SHIPMENT: On or about September 10 and 13, 1948, from the State of Mississippi into the State of Louisiana.

LABEL, IN PART: "Vanilla Wafers."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of insects, larvae, and insect and larva parts; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: May 6, 1949. Pleas of nolo contendere having been entered, each defendant was fined \$50.

14757. Adulteration of jelly fingers. U. S. v. 55 Cases * * *. (F. D. C. No. 26553. Sample No. 6773-K.)

LABEL FILED: February 21, 1949, Western District of New York.

ALLEGED SHIPMENT: On or about January 21, 1949, by the Zion Candy Industry, Div. of Zion Industries, Inc., Zion, Ill.

PRODUCT: 55 cases, each containing 24 1-pound packages, of jelly fingers at Buffalo, N. Y.

LABEL, IN PART: "Betty Marie Jelly Fingers."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent excreta, rodent hairs, and wood splinters; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: June 28, 1949. Consent decree of condemnation and destruction.

14758. Alleged adulteration of ice cream cups and cones. U. S. v. Maryland Baking Co. and Sara Piem. Defendants filed motion for return of samples collected during inspection and for suppression of evidence obtained during such inspection; motion granted. Case dismissed on motion of Government. (F. D. C. No. 24531. Sample Nos. 308-K, 310-K, 717-K, 1010-K.)

INFORMATION FILED: April 23, 1948, Northern District of Georgia, against the Maryland Baking Co., a partnership, Atlanta, Ga., and Sara Piem, manager.

ALLEGED SHIPMENT: On or about September 18 and October 11, 1947, from the State of Georgia into the States of Tennessee and Florida.

LABEL, IN PART: "Eat-It-All Cake Cups," "Flavor-ized Flare Tops Dripless Cake Cones," and "Kreem Kups."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in part of a filthy substance by reason of the presence of larvae, insects, and insect fragments; and, Section 402 (a) (4), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

DISPOSITION: The defendant having filed a motion for the return of certain samples and photographs taken during an inspection and for suppression of the evidence secured during such inspection, the court handed down, on September 29, 1948, the following opinion sustaining the motion: